

DISCUSSION

Upon entry of the present amendment, Claims 1-31 remain in the application, of which, claims 1, 5, 13, 20, 24 and 25 are independent. Claims 13 and 25 are amended herein to more clearly distinguish the applicant's invention from that of the prior art references.

The above-identified Office Action has been reviewed, the references carefully considered, and the Examiner's comments carefully weighed. In view thereof, the present Amendment is submitted. It is contended that by the present amendment, all bases of rejection set forth in the Office Action have been traversed and overcome. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

Applicant requests reconsideration and withdrawal of the rejection, for reasons which are outlined herein.

Section 103 issues

At item 2 of the Office Action, the Examiner rejected claims 13-19, and 25-29 under 35 USC 103(a) as unpatentable over Inoue (US 5,785,350) in view of JP 10-175497 (hereinafter referred to as '497).

In the rejection, the Examiner stated that: Inoue teaches many aspects of the invention as claimed, including inflator 11, tethers 29, 30 (which the Examiner interprets as being similar to the claimed partitions with different shapes and determining an expansion direction of the airbag), and panels 27, 28 (as the claimed limb portion). The Examiner takes the position that in his view, it would have been obvious to modify Inoue et al. to include an acceleration sensor as taught by JP497 for generating a signal when lateral acceleration is detected (paragraphs 20 and 32 of the English translation), and also to modify Inoue's tether by forming them as portions sewn together such as the limit parts 40 of JP497 for the purpose of eliminating parts and materials.

Regarding claims 15-16 and 26, the Examiner states that partition(s) 40 determine the shape of the airbag during an expansion process by limiting how far laterally the sides can move away from each other, thereby facilitating the high speed expansion of the airbag to a final shape. The Examiner further states that in Fig. 7 of '497, there are multiple circular portions in a limb portion (where the arm would be in Drawing 1) and, as seen in Drawing 5, the partitions 40 are formed by sewing portions of two side panels together (claims 14-17 and 26), and as noted above, the partitions formed by sewn together predetermined portions, determine an expansion direction of the air bag that is opposed to where the gas enters the airbag in the combination (claim 19).

Upon careful review of these references, and of the Examiner's application of the references in the rejection, the applicant respectfully disagrees with the rejection of the claims.

With respect to independent claims 13 and 25, and with particular respect to the Examiner's broad interpretation of Inoue's tethers 29, 30 as "partitions", the applicant respectfully asserts that such tethers do not "facilitate high speed expansion of the airbag to a final shape thereof" as claimed. Rather, the tethers function to restrict the expansion of the airbag in the width direction, so that the fully inflated airbag has a substantially rectangular shape. Moreover, they are oriented in a direction perpendicular to the expansion direction, thereby inhibiting the expansion of the airbag, rather than facilitating it. Unlike the partitions of the present invention (or the limit parts 40 of JP497) which are created by sewing outer panels of the airbag together, Inoue's tethers are separate cloth pieces connected between the outer panels of the airbag. Thus, the tethers do not reduce the volume of the airbag, unlike the partitions of the present invention. Further, Inoue discloses that the tethers generally tend to interfere with expansion of the airbag, so that it is necessary to cactus fold the airbag in a special fashion to avoid this problem.

The Examiner's assertion that the tethers of Inoue meet the claimed partitions, including their function to "facilitate high speed expansion of the airbag to a final shape thereof" is not supported by Inoue's actual disclosure.

Further, although the limit parts of JP497 may be formed similarly to the partitions of the claimed invention, and may even be broadly interpreted to provide a function similar to the claimed partitions, it would not be obvious to persons skilled in the art to hypothetically modify Inoue's tethers to be formed similarly to the limit parts 40 of JP497 because any such modification would detrimentally affect-destroy Inoue's patented invention. Particularly, Inoue's invention is specifically directed to cactus folding the airbag in a special manner so as to eliminate restrictions on deployment which would otherwise be caused by the tethers (which extend within the airbag to connect the outer panels) if cactus folded in a normal fashion. To change the tethers, effectively eliminate them by instead sewing the outer panels together, in the manner of the limit parts 40 of JP497 would prevent the airbag from being folded in the manner disclosed and patented by Inoue.

Still further, Inoue's tethers and the limit parts 40 of JP497 are not S-shaped as defined in claims 17, 27, nor are they shaped differently from each other as defined in claims 18, 28. In this regard, the Examiner's assertion that the tethers 29, 30 are shaped differently is not supported by Inoue's actual disclosure, e.g., his Figs. 4A-C. Figs. 4A-C show the tethers 29 and 30 to be of like size and shape when considering the perspective view thereof. In addition, the written disclosure of Inoue does not teach any differences in size or shape.

Applicant therefore requests reconsideration and withdrawal of the Examiner's rejection of claims 13-19, and 25-29 under 35 USC 103(a) as unpatentable over Inoue (US 5,785,350) in view of JP 10-175497.

2. At item 3 of the Office Action, the Examiner has rejected claims 13, 25, 30, and 31 under 35 USC 103(a) as being unpatentable over Kimura et al (US 5,893,579) in view of JP497. In the rejection, the Examiner states that it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the airbag system of Kimura to include partitions and a lateral acceleration sensor as taught by JP947, and that Kimura's airbag meets the limitations of claims 30, 31 considering that the curved edges at the end of the airbag give the end a smaller width than the middle portion of the airbag.

Applicant disagrees with this ground of rejection, and requests reconsideration and withdrawal thereof.

In the interest of expediting prosecution of the present application, applicant has amended independent claims 13 and 25 by the present amendment, to specify that at least one partition is provided in a substantially central portion of the airbag, and extends substantially in the linear expansion direction.

Applicant respectfully suggests that as presently amended, the claims patentably distinguish over all of the art of record, considered either individually or in any reasonable combination thereof.

Conclusion

Applicant respectfully suggests that none of the references of record, considered either singly or in any combination, teach applicant's invention, as presently claimed, and that further, skill generally available in the art would not lead to a person of ordinary skill to create applicant's claimed invention, using the references of record.

Applicant respectfully suggests that as currently amended, all of the pending claims are believed to be allowable.

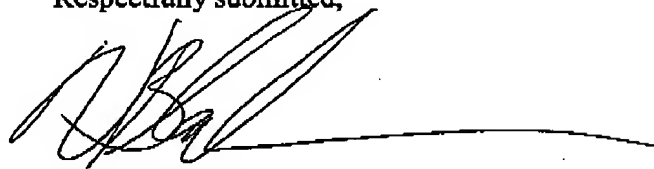
No new matter has been added by the present amendment, since all of the pertinent subject matter was expressly or inherently disclosed in the original application.

For all of the above mentioned reasons, applicant requests reconsideration and withdrawal of the rejection of record, and allowance of all the pending claims.

If the Examiner is not fully convinced of all of the claims now in the application, applicant respectfully requests that the Examiner telephone applicant's undersigned representative to resolve any additional issues and expedite prosecution of the application.

Favorable reconsideration is respectfully requested.

Respectfully submitted,

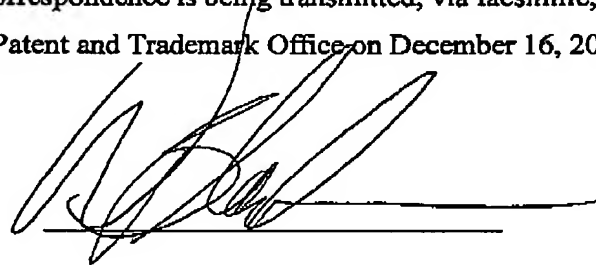


William Blackman
Attorney for Applicant
Registration No. 32,397
(248) 344-4422

Customer No. 21828
Carrier, Blackman & Associates, P.C.
24101 Novi Road, Suite 100
Novi, Michigan 48375
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